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FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

Establishment of the International Tribunal

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions wishes to bring to the attention of the General Assembly that it has considered a request from the Secretary-General on the financing of the International Tribunal. The Committee's concurrence was requested under the terms of General Assembly resolution 46/187 of 20 December 1991, entitled "Unforeseen and extraordinary expenses for the biennium 1992-1993", to enter into commitments not exceeding $1,568,500, to provide for the requirements of the Tribunal in 1993. This request was based on Security Council resolution 827 (1993) of 25 May 1993, which established the International Tribunal and adopted the Statute of the Tribunal.

2. The Advisory Committee notes from Article 32 of the Statute of the International Tribunal that its expenses "shall be borne by the regular budget of the United Nations in accordance with Article 17 of the Charter of the United Nations".

3. The Advisory Committee also notes that the General Assembly has not yet taken a decision on the nature of financing of the International Tribunal. The Advisory Committee has therefore requested the Secretary-General to submit a report on the requirements of the Tribunal to the General Assembly at its forty-eighth session, based on such decisions as the General Assembly may take at its resumed forty-seventh session on the nature of financing of the Tribunal.

4. The Advisory Committee has indicated to the Secretary-General that the report should, inter alia, provide detailed justification of the number of posts and their grade level, as well as the allowances of the judges of the Tribunal. The report of the Secretary-General should also provide information on the

outcome of his discussions with the Government of the Netherlands concerning the headquarters of the Tribunal and the status of voluntary contributions.

5. Pending the submission of this report to the General Assembly, the Advisory Committee has granted the Secretary-General authority to enter into commitments in an amount not exceeding $500,000 to provide for the immediate and urgent requirements of the Tribunal for its initial activities. This commitment authority has been granted without prejudice to the decision of the General Assembly on the nature of financing of the Tribunal and without prejudice to such recommendations as the Advisory Committee may make with regard to the staffing and other matters to be dealt with in the Secretary-General's report to the General Assembly at its forty-eighth session.